

BEFORE THE
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

Case No. AR 2008-455

SANDRA MARY SEVERIN,
a.k.a. SANDRA M. SEVERIN,
a.k.a. SANDRA MARY ELLENBECKER
1664 Camillia Lane, SW 27-102
Tumwater, WA 98512

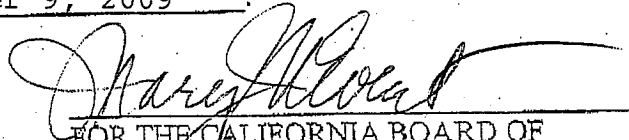
Respondent.

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the California Board of Occupational Therapy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on initial date of certification.

It is so ORDERED December 9, 2009.



FOR THE CALIFORNIA BOARD OF
OCCUPATIONAL THERAPY
DEPARTMENT OF CONSUMER AFFAIRS

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Attorney General of California
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8 **BEFORE THE**
CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

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Tumwater, WA 98512

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER

15 Respondent.

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Heather Martin ("Complainant") is the Executive Officer of the California Board of
21 Occupational Therapy. She brought this action solely in her official capacity and is represented
22 in this matter by Edmund G. Brown Jr., Attorney General of the State of California, by Janice K.
23 Lachman, Supervising Deputy Attorney General.

24 2. Respondent Sandra Mary Severin, also known as Sandra M. Severin and Sandra Mary
25 Ellenbecker ("Respondent"), is representing herself in this proceeding and has chosen not to
26 exercise her right to be represented by counsel.

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1 3. On or about June 4, 2009, Respondent filed an application dated May 31, 2009, with
2 the California Board of Occupational Therapy to obtain an occupational therapy assistant
3 certificate.

4 **JURISDICTION**

5 4. Statement of Issues No. AR 2008-455 was filed before the California Board of
6 Occupational Therapy ("Board"), Department of Consumer Affairs, and is currently pending
7 against Respondent. The Statement of Issues and all other statutorily required documents were
8 properly served on Respondent on November 24, 2009. Respondent timely filed her Notice of
9 Defense contesting the Statement of Issues. A copy of Statement of Issues No. AR 2008-455 is
10 attached as exhibit A and incorporated herein by reference.

11 **ADVISEMENT AND WAIVERS**

12 5. Respondent has carefully read, and understands the charges and allegations in
13 Statement of Issues No. AR 2008-455. Respondent has also carefully read, and understands the
14 effects of this Stipulated Settlement and Disciplinary Order.

15 6. Respondent is fully aware of her legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Statement of Issues; the right to be represented by
17 counsel at her own expense; the right to confront and cross-examine the witnesses against her; the
18 right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas
19 to compel the attendance of witnesses and the production of documents; the right to
20 reconsideration and court review of an adverse decision; and all other rights accorded by the
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
23 every right set forth above.

24 **CULPABILITY**

25 8. Respondent admits the truth of each and every charge and allegation in Statement of
26 Issues No. AR 2008-455.

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9. Respondent agrees that her occupational therapy assistant certificate is subject to denial and she agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board. Respondent understands and agrees that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that the application of Respondent Sandra Mary Severin, also known as Sandra M. Severin and Sandra Mary Ellenbecker, for certification as an occupational

1 therapy assistant is hereby granted. Upon successful completion of the certification examination
2 and all other certification requirements, an occupational therapy assistant certificate shall be
3 issued to Respondent. Said certificate shall automatically be revoked, the order of revocation
4 stayed, and Respondent placed on probation for a period of three (3) years on the following terms
5 and conditions:

6 1. **Early Termination of Probation.** Respondent waives her right to petition for early
7 termination and modification of probation.

8 2. **Obey All Laws.** Respondent shall obey all federal, state, and local laws and
9 regulations governing the practice of occupational therapy in California. Respondent shall
10 submit, in writing, a full detailed account of any and all violations of the law to the Board within
11 five (5) days of occurrence.

12 3. **Compliance with Probation and Quarterly Reporting.** Respondent shall fully
13 comply with the terms and conditions of probation established by the Board and shall cooperate
14 with representatives of the Board in its monitoring and investigation of Respondent's compliance
15 with probation. Respondent, within ten (10) days of completion of the quarter, shall submit
16 quarterly written reports to the Board on a Quarterly Report of Compliance form obtained from
17 the Board.

18 4. **Personal Appearances.** Upon reasonable notice by the Board, Respondent shall
19 report to and make personal appearances at times and locations as the Board may direct.

20 5. **Notification of Address and Telephone Number Change(s).**

21 Respondent shall notify the Board, in writing, within five (5) days of a change of residence
22 or mailing address, of her new address and any change in work and/or home telephone numbers.

23 6. **Tolling for Out of State Practice, Residence or In State Non Practice.**

24 In the event Respondent should leave California to reside or to practice outside the State for
25 more than thirty (30) days, Respondent shall notify the Board or its designee in writing within ten
26 (10) days of the dates of departure and return. All provisions of probation other than the quarterly
27 report requirements, examination requirements, and education requirements, shall be held in

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1 abeyance until Respondent resumes practice in California. All provisions of probation shall
2 recommence on the effective date of resumption of practice in California.

3 **7. Notification to Employer(s).** When currently employed or applying for employment
4 in any capacity in any health care profession, Respondent shall notify her employer of the
5 probationary status of Respondent's license. This notification to the current employer shall occur
6 no later than the effective date of the Decision. Respondent shall notify any prospective health
7 care employer of her probationary status with the Board prior to accepting such employment.
8 This notification shall be made by providing the employer or prospective employer with a copy of
9 the Board's Accusation and Stipulated Settlement and Disciplinary Decision and Order.

10 Respondent shall cause each health care employer to submit quarterly reports to the Board.
11 The reports shall be on a form provided by the Board, shall include a performance evaluation and
12 such other information as may be required by the Board.

13 Respondent shall notify the Board, in writing, within five (5) days of any change in
14 employment status. Respondent shall notify the Board, in writing, within five (5) days if she is
15 terminated from any occupational therapy or health care related employment with a full
16 explanation of the circumstances surrounding the termination.

17 **8. Employment Requirements and Limitations.** During probation, Respondent shall
18 work in her licensed capacity in the State of California. This practice shall consist of no less than
19 (6) continuous months and of no less than twenty (20) hours per week.

20 While on probation, Respondent shall not work for a registry or in any private duty
21 position, except as approved, in writing, by the Board. Respondent shall work only on a regularly
22 assigned, identified, and pre determined work site(s) and shall not work in a float capacity except
23 as approved, in writing, by the Board.

24 **9. Supervision Requirements.** Respondent shall obtain prior approval from the Board,
25 before commencing any employment, regarding the level of supervision provided to the
26 respondent while employed as an occupational therapy assistant.

27 Respondent shall not function as a supervisor during the period of probation except as
28 approved, in writing, by the Board.

1 10. **Continuing Education Requirements.** Respondent shall complete continuing
2 education course work in the area of Law and Ethics. Such continuing education shall be
3 completed by or within the first year of Respondent's probation.

4 The continuing education course work shall be in addition to the professional development
5 activities required for certification renewal. Respondent shall complete the required continuing
6 education course work, as follows: one course in Law and Ethics for twelve (12) hours of credit.
7 Within thirty (30) days of the Board's written notification of the assigned course work,
8 Respondent shall submit a written plan to comply with this requirement. The Board shall approve
9 such plan prior to enrollment in the course of study.

10 Failure to satisfactorily complete the required continuing education as scheduled shall
11 constitute a violation of probation. Respondent is responsible for all costs of such continuing
12 education. Upon successful completion of the course, Respondent shall send the original
13 certificate she receives for successful completion of the course work to the Board within thirty
14 (30) days of completion of each course. Respondent shall send the original certificate to the
15 Board by certified mail, return receipt requested.

16 11. **Maintenance of Valid Certificate.** Respondent shall, at all times while on
17 probation, maintain an active current certificate with the Board, including any period during
18 which the certificate is suspended or probation is tolled.

19 12. **Violation of Probation.** If Respondent violates probation in any respect, the Board,
20 after giving Respondent notice and opportunity to be heard, may revoke probation and carry out
21 the disciplinary order which was stayed. If an accusation or a petition to revoke probation is filed
22 against Respondent during probation, the Board shall have continuing jurisdiction until the matter
23 is final, and the period of probation shall be extended until the matter is final.

24 13. **Completion of Probation.** Upon successful completion of probation, Respondent's
25 certificate will be fully restored.

26 14. **Chemical Dependency Support/Recovery Groups.** Within five (5) days of the
27 effective date of the Decision, Respondent shall begin attendance at a chemical dependency
28 support group (e.g., Alcoholics Anonymous, Narcotics Anonymous), and shall attend a minimum

1 of one meeting per week. Verified documentation of attendance shall be submitted by
2 Respondent with each quarterly report. Respondent shall continue attendance in such a group for
3 the duration of probation.

4 15. **Abstain From Controlled Substances.** Respondent shall completely abstain from
5 the personal use or possession of controlled substances, as defined in the California Uniform
6 Controlled Substances Act, and dangerous drugs as defined in section 4021 and 4022 of the
7 Business and Professions Code, except when lawfully prescribed by a licensed practitioner for a
8 bona fide illness.

9 16. **Abstain From Use of Alcohol.** Respondent shall completely abstain from the use of
10 alcoholic beverages during the period of probation.

11 17. **Submit Biological Fluid Samples.** Respondent shall immediately submit to
12 biological fluid testing, at Respondent's cost, upon request by the Board or its designee. There
13 will be no confidentiality in the test results; positive test results will be immediately reported to
14 the Board and the respondent's current employer.

15 **ACCEPTANCE**

16 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
17 stipulation and the effect it will have on my occupational therapy assistant certificate. I enter into
18 this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and
19 agree to be bound by the Decision and Order of the California Board of Occupational Therapy.

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21 DATED: 12-1-09

Sandra M. Severin
SANDRA MARY SEVERIN
Respondent

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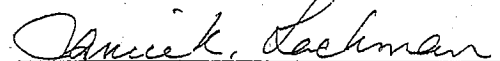
ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order are hereby respectfully submitted for consideration by the California Board of Occupational Therapy of the Department of Consumer Affairs.

Dated: December 3, 2009

Respectfully Submitted,

EDMUND G. BROWN JR.
Attorney General of California
ALFREDO TERRAZAS
Senior Assistant Attorney General



JANICE K. LACHMAN
Supervising Deputy Attorney General
Attorneys for Complainant